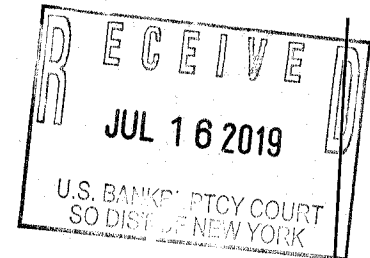


Burgundy
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



In re:

Ditech Holding Corporation,

Debtor.

) Case No: 19-10412-JLG
)
) NOTICE OF FRAUDULENT TRANSFER OF
) DEBTOR'S ASSET FOR THE BENEFIT OF
) INSIDERS PRIOR TO FILING
)
) AND *EMERGENCY*
)
) REQUEST FOR ISSUANCE OF FREEZE OF
) SERVICING ACCOUNT, STAY OF ASSET AND
) REVERSAL OF FRAUDULENT TRANSACTION

Creditor Samuel Rodriguez notifies this court that Debtor fraudulently transferred one or more assets, for the benefit of an insider, in anticipation of filing this bankruptcy case and in violation of 11U.S.Code § 548 ALL OF THESE TOOK PLACE STRATEGICALLY RIGHT BEFORE FILING FOR BANKRUPTCY;

- TRANSFERRED ASSET FRAUDULENTLY, TO INSIDERS AND FOR LESS THAN IT WAS WORTH IN VIOLATION OF THE STATUTE.
- TRANSFERRED TO NOT PAY INSURANCE CLAIM
- TRANSFERRED TO AVOID VOLUNTARY RESTRAINING ORDER IMPOSED BY US DISTRICT COURT IN CASE 15CV3695.
- TRANSFERRED SERVICING WHILE IN LOSS MITIGATION, A PROHIBITED ACTION AND IN VIOLATION OF CONSENT ORDER OF US DISTRICT COURT 15CV2064.
- TRANSFERRED SERVICING TO AVOID LIABILITY AND PROCESSES DICTATED BY CONSENT ORDER OF US DISTRICT COURT 15CV2064.

IT IS WITHIN THE COURTS JURISDICTION TO FREEZE THE servicing account in question and reverse the fraudulent transaction done solely for purposes of deception to this court therefore an order doing so immediately is requested before more and irreparable damage is done to claimant.

RESPECTFULLY SUBMITTED ELECTRONICALLY, this seventh day of July, 2019

Samuel Rodriguez

Samuel Rodriguez-520-999-7900 oilbiz@att.net

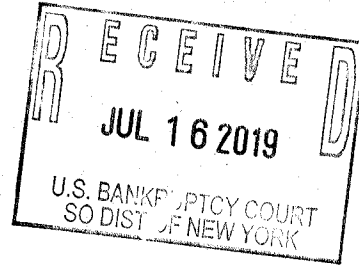
Fill in this information to identify the case:

Debtor 1 Ditech Holding Corporation

Debtor 2
(Spouse, if filing)

United States Bankruptcy Court for the: Southern District of New York

Case number 19-10412-jlg



Official Form 410

Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Samuel Rodriguez

Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor

2. Has this claim been acquired from someone else?

☒ No

☐ Yes. From whom?

3. Where should notices and payments to the creditor be sent?

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?

Samuel Rodriguez

Name

PO BOX 64821

Number Street

Tucson AZ 85718

City

State

ZIP Code

Contact phone 520-999-7900

Contact email oilbiz@att.net

Where should payments to the creditor be sent? (if different)

Name

Number

Street

City

State

ZIP Code

Contact phone

Contact email

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?

☒ No

☐ Yes. Claim number on court claims registry (if known)

Filed on

MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

☒ No

☐ Yes. Who made the earlier filing?

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☒ No
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ Ongoing but aprox 500,000 Does this amount include interest or other charges?
☒ No
☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.
Servicer was self insured on my property and did not pay claim.

9. Is all or part of the claim secured? ☐ No
☒ Yes. The claim is secured by a lien on property.
Nature of property:
☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☒ Other. Describe: Add damages-fraudulent transfer against consent order D.C.

Basis for perfection: Offset on Lien on Creditor's residence property.
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ 500000
Amount of the claim that is secured: \$ 500000
Amount of the claim that is unsecured: \$ 0 (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ 500000 credit

Annual Interest Rate (when case was filed) _____ %
☐ Fixed
☐ Variable

10. Is this claim based on a lease? ☒ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? ☒ No
☐ Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

- ☐ No
☐ Yes. Check one:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

- ☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).
☒ Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).
☐ Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).
☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).
☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).
☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

Amount entitled to priority

\$ _____
\$ 2850
\$ _____
\$ _____
\$ _____
\$ _____

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☒ I am the creditor.
☐ I am the creditor's attorney or authorized agent.
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 7/8/2019
MM / DD / YYYY

SAMUEL RODRIGUEZ

Signature

Print the name of the person who is completing and signing this claim:

Name Samuel Rodriguez
First name Middle name Last name

Title _____

Company _____

Identify the corporate servicer as the company if the authorized agent is a servicer.

Address PO BOX 64821
Number Street
Tucson AZ 85728

City State ZIP Code
520-999-7900
Contact phone Email oilbiz@att.net